

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DOUGLAS M. ROSEBY,
Plaintiff

v.

UNITED STATES OF AMERICA,
Defendant

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No. 1:22-cv-00081

(Judge Rambo)

ORDER

AND NOW, on this 28th day of February 2023, upon consideration of Defendant the United States of America (“Defendant”)’s motion to dismiss the complaint and/or for summary judgment (Doc. No. 11), and in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Defendant’s motion to dismiss the complaint and/or for summary judgment (Doc. No. 11) is **GRANTED**, and the Clerk of Court is directed to enter judgment in favor of Defendant;
2. Plaintiff Douglas M. Roseby’s pending motions to compel Defendant to serve its memorandum of law in support of its motion to dismiss the complaint and/or for summary judgment (Doc. No. 14) and to strike Defendant’s sur-reply brief from the docket (Doc. No. 18) are **DEEMED WITHDRAWN**; and
3. The Clerk of Court is directed to **CLOSE** this case.

s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge